

public funds or fees of office; provided, it shall be unlawful under the provisions of this act for any district judge to appoint as official stenographer of his district any person related within the third degree to the judge or district attorney of such district.

Sec. 2. It shall hereafter be unlawful for any such executive, legislative, ministerial or judicial officer mentioned in Section 1 of this act to draw or authorize the drawing of any warrant or authority for the payment out of any public fund, of the salary, wages, pay or compensation of any such ineligible person, knowing him to be ineligible; and it shall be unlawful for any such executive, legislative, ministerial or judicial officer to pay out of any public funds in his custody or under his control, the salary, wages, pay or compensation of any such ineligible person, knowing him to be ineligible.

Sec. 3. Any judicial, legislative, ministerial or judicial officer who shall violate any provision of this act shall be deemed guilty of a misdemeanor involving official misconduct, and shall be punished by a fine of not less than \$100 nor more than \$1000, and shall forfeit his office.

Sec. 4. Under the designation, executive, legislative, ministerial or judicial officer, as mentioned herein, are included the Governor, Lieutenant Governor, Speaker of the House of Representatives, Railroad Commissioners, all heads of the departments of the State government, judges of all the courts of this State, mayors, recorders and aldermen of all incorporated cities and towns, public school trustees, officers and boards of managers of the State University and its several branches, State normals, the penitentiaries and eleemosynary institutions, members of the commissioners court, and all other officials of the State, district, county, cities or other municipal subdivisions of the State.

Sec. 5. Every person guilty of violating the provisions of this act shall, independently of or in addition to any criminal prosecution that may be instituted, be removed from office according to the mode of trial and removal prescribed in the Constitution of this State, and by quo warranto proceedings in all cases where the mode of trial and removal is not provided for in the Constitution.

Sec. 6. It shall be unlawful for any executive, legislative, ministerial or judicial officer to appoint and furnish employment for any person whose services are to be rendered under his direction control and paid for out of public funds,

and who is related by either blood or marriage within the third degree to any other executive, legislative, ministerial or judicial officer when such appointment is made in part consideration that such other officer shall appoint and furnish employment to any one so related to the officer making such appointment. Any such officer who shall violate the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction be punished as provided in Section 3 of this act.

Sec. 7. Quo warranto proceedings instituted under this act to oust any person from any State, as contra-distinguished from any other office, shall be brought in the district court of Travis county, Texas, and all other such proceedings shall be instituted in the district court of the county where the defendant resides.

Sec. 8. The absence of any law of this State prohibiting nepotism creates an emergency and imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days and the same is so done, and that this act take effect and be in force from and after its passage, and the same is so enacted."

And find the same correctly enrolled, and have this day, at 3:45 o'clock p. m., presented the same to the Governor for his approval.

MASTERSON, Chairman.

### THIRTY-FOURTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, February 22, 1907.

Senate met pursuant to adjournment.  
Lieutenant Governor A. B. Davidson  
in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Hudspeth.
Barrett.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Griggs.	Paulus.
Grinnan.	Skinner.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Absent.

Chambers.	Smith.
Meachum.	Willacy.

## Absent—Excused.

Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield.

Senter.

Greer.

Stone.

Prayer by Rev. H. M. Sears, Chaplain of the Senate.

Pending the reading of the Journal of yesterday, on motion of Senator Green, the same was dispensed with.

(See Appendix for committee reports.)

## BILLS AND RESOLUTIONS.

By Senator Masterson:

Senate bill No. 204, A bill to be entitled "An Act to amend Title 13, Chapter 1, of the Penal Code of the State of Texas, by adding thereto Article 482a, providing the manner in which traction engines and separators shall be transported or carried over any public bridge or culvert upon any public road or highway, or any street or alley in any incorporated town or city, and providing a penalty for the violation thereof; declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Watson:

Senate bill No. 205, A bill to be entitled "An Act to amend the Revised Statutes of Texas of 1895 by adding Article 975a, to be entitled 'An Act to declare unlawful the sale of unginned cotton at night time, and to provide penalties therefor.'"

Read first time, and referred to Judiciary Committee No. 2.

By Senator Skinner:

Senate bill No. 206, A bill to be entitled "An Act to provide for, and to regulate the preparation, reporting and publishing of the decisions of the Supreme Court, the Court of Criminal Appeals and those of the Courts of Civil Appeals of the State of Texas, and to repeal Articles 960 to 966 of the Revised Statutes of 1895."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Hudspeth:

Senate bill No. 207, A bill to be entitled "An Act to amend Article 40, Chapter 2, of the Code of Criminal Procedure of Texas, so as to allow county attorneys to be of counsel adversely to the State in counties other than that for which they are elected in cases

where the county for which they are elected has population of less than 8000 persons."

Read first time and referred to Judiciary Committee No. 2.

By Senator Cunningham:

Senate bill No. 208, A bill to be entitled "An Act to validate sales of school lands to actual settlers in such cases as the applicant or assignee did not settle within the time required by law or did not file within the time required by law the affidavit of settlement, but did settle and continue to reside upon the land in good faith."

Read first time, and referred to Committee on Lands and Land Office.

By Senator Murray (by request):

Senate bill No. 209, A bill to be entitled "An Act to amend Articles 886 and 889, Title X, Chapter 1, of the Code of Criminal Procedure."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Brachfield:

Senate bill No. 210, A bill to be entitled "An Act to change and prescribe the time for holding district court in the Fourth Judicial District."

Read first time and referred to Committee on Judicial Districts.

By Senators Griggs, Watson, Alexander, Glasscock, Grinnan, Veale, Faust, Chambers, Mayfield, Cunningham, Senter, Green and Skinner:

Senate Joint Resolution No. 18, To be entitled "Joint Resolution to amend Sections 1, 2, 3, 4, 5 and 6 of Article 5 of the Constitution of the State of Texas so as to provide for one Supreme Court of the State of Texas; for submitting same to the electors of the State, and making appropriation therefor."

Read first time, and referred to Committee on Constitutional Amendments.

By Senator Watson:

Senate Joint Resolution No. 19, Proposing an amendment to Article 4 of the Constitution of the State of Texas, by amending Section 5 of said Article 4 so as to fix the compensation of the Governor at \$8000 per year in addition to the use and occupation of the Governor's mansion, fixtures and furniture.

Read first time, and referred to Committee on Constitutional Amendments.

By Senator Watson:

Senate Joint Resolution No. 20, Proposing an amendment to Article 4 of the Constitution of the State of Texas.

by amending Section 17 of said Article 4 so as to fix the compensation of the Lieutenant Governor at twenty-five hundred dollars (\$2500) per year.

Read first time, and referred to Committee on Constitutional Amendments.

Morning call concluded.

#### HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, February 22, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

Senate bill No. 109, A bill to be entitled "An Act making appropriations for deficiencies in the appropriations heretofore made for the support of the State government for the fiscal years ending August 31, 1904; August 31, 1905; August 31, 1906; August 31, 1907, being for claims registered in the Comptroller's office in accordance with law, and for outstanding claims not registered, and to make additional appropriations for the support of the State government for the years ending August 31, 1905; August 31, 1906, and August 31, 1907," with amendments.

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILLS SIGNED BY CHAIR.

The Chair (Lieutenant Governor Davidson) gave notice of signing, and did sign in the presence of the Senate after their captions had been read.

House bill No. 196, "An Act to provide for a charter for the city of El Paso, in El Paso county, Texas, and to fix the boundaries thereof; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 237, "An Act to create a more efficient road system for Caldwell county."

#### SENATE BILL NO. 118.

On motion of Senator Hudspeth, the pending order of business (Senate bill No. 65) was suspended, and the Senate took up, out of its order, Senate bill No. 118.

The Chair laid before the Senate, on third reading,

Senate bill No. 118, A bill to be entitled "An Act to authorize the Commissioner of the General Land Office, with the consent and approval of the Governor and Attorney General, to sell

the guayule, lechuguilla, sotol and other vegetation on school land, and to enter into contracts for the purpose of determining the commercial value of those and all other substances found upon public free school land."

Senator Hudspeth offered the following amendment:

Amend Senate bill No. 118 by adding the following section:

"Sec. 2. The fact that there is now no law upon the statute books of Texas authorizing the sale of the guayule, lechuguilla, sotol and other plants on the State school lands of this State, creates an emergency and imperative public necessity that the constitutional rule requiring bills to be read on three several days be suspended, and it is hereby suspended, and that this act shall take effect from and after its passage."

Question being on the amendment, the roll call developed no quorum voting, the following Senators voting:

#### Yeas—19.

Alexander.	Hudspeth.
Barrett.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Griggs.	Paulus.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	

#### Absent.

Chambers.	Meachum.
Cunningham.	Smith.
Kellie.	Willacy.

#### Absent—Excused.

Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield.	Skinner.
Greer.	Stone.
Senter.	

Senator Hudspeth moved a call of the Senate for the purpose of securing a quorum, the motion being duly seconded, the same was ordered.

The Chair directed the roll called, the following Senators answering to their names:

Alexander.	Grinnan.
Barrett.	Harbison.
Faust.	Harper.
Glasscock.	Holsey.
Green.	Hudspeth.
Griggs.	Looney.

Masterson. Terrell.  
Mayfield. Veale.  
Murray. Watson.  
Paulus.

Absent.

Chambers. Meachum.  
Cunningham. Smith.  
Kellie. Willacy.

Absent—Excused.

Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Skinner.  
Greer. Stone.  
Senter.

Senator Harbison moved that the Senate adjourn until Monday morning at 10 o'clock. The motion was lost by the following vote:

Yeas—8.

Faust. Harper.  
Glasscock. Masterson.  
Griggs. Murray.  
Harbison. Paulus.

Nays—11.

Alexander. Looney.  
Barrett. Mayfield.  
Green. Terrell.  
Grinnan. Veale.  
Holsey. Watson.  
Hudspeth.

Absent.

Chambers. Meachum.  
Cunningham. Smith.  
Kellie. Willacy.

Absent—Excused.

Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Skinner.  
Greer. Stone.  
Senter.

Senators Kellie and Cunningham were here announced present, which made a quorum.

EXCUSED.

On motion of Senator Harper, Senator Smith was excused from attendance upon the Senate indefinitely on account of sickness.

On motion of Senator Terrell, Senator Chambers was excused from attendance upon the Senate for today on account of sickness.

# SENATE BILL NO. 118.

Action recurred on Senate bill No. 118, the question being on the amendment by Senator Hudspeth, which was adopted by the following vote:

Yeas—22.

Alexander. Hudspeth.  
Barrett. Kellie.  
Cunningham. Looney.  
Faust. Masterson.  
Glasscock. Mayfield.  
Green. Murray.  
Griggs. Paulus.  
Grinnan. Skinner.  
Harbison. Terrell.  
Harper. Veale.  
Holsey. Watson.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Stokes.  
Smith.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander. Hudspeth.  
Barrett. Kellie.  
Cunningham. Looney.  
Faust. Masterson.  
Glasscock. Mayfield.  
Green. Murray.  
Griggs. Paulus.  
Grinnan. Skinner.  
Harbison. Terrell.  
Harper. Veale.  
Holsey. Watson.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Stokes.  
Smith.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 203.

Senator Watson moved that the special order of business (Senate Joint Resolution No. 12) be suspended, and the Senate take up, out of its order, Senate bill No. 26.

Senator Green moved as a substitute that the pending order of business (Senate Joint Resolution No. 12) be suspended, and the Senate take up, out of its order, Senate bill No. 203.

The substitute motion was adopted.

On motion of Senator Green, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report).

The Chair laid before the Senate, on second reading,

Senate bill No. 203, A bill to be entitled "An Act to be entitled an act to incorporate the trustees of the Independent School District of the City of San Antonio, Texas, under the name 'San Antonio School Board,' etc."

Bill read second time, and ordered engrossed.

On motion of Senator Green, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Griggs.	Paulus.
Grinnan.	Skinner.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Stokes.  
Smith.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Cunningham.
Barrett.	Faust.

Glasscock.	Looney.
Green.	Masterson.
Griggs.	Mayfield.
Grinnan.	Murray.
Harbison.	Paulus.
Harper.	Skinner.
Holsey.	Terrell.
Hudspeth.	Veale.
Kellie.	Watson.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Stokes.  
Smith.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

Senator Green moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 171.

On motion of Senator Griggs, the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, Senate bill No. 171.

The Chair laid before the Senate, on second reading,

Senate bill No. 171, A bill to be entitled "An Act to amend Section 53, Article 642, Chapter 2, Title XXI, of the Revised Statutes of Texas, and to validate certain bonds issued by terminal railway companies."

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by striking out Section 2, and renumbering Section 3 accordingly.

Senator Griggs offered the following amendment, which was adopted:

Amend by striking out of caption all after the word "Texas" in line 8.

Senator Griggs offered the following amendment, which was adopted:

Amend the bill by adding to Section 1 the following: "Provided, that no such terminal company shall have the right to charge any railroad company for terminal facilities a greater amount than may be from time to time designated and established by the Railroad Commission, which shall have authority to prescribe such rates and rules for the operation of all such terminal companies as will prevent discrimination by them against any common carrier

with respect to either charges or service."

Bill read second time, and ordered engrossed.

On motion of Senator Griggs, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander.	Hudspeth.
Barrett.	Kellie.
Cunningham.	Looney.
Faust.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Griggs.	Skinner.
Grinnan.	Terrell.
Harbison.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Masterson.	Willacy.
Meachum.	

Absent—Excused.

Chambers.	Stokes.
Smith.	

Absent Excused—On Account of Investigating Committee.

Brachfield.	Senter.
Greer.	Stone.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Griggs.	Paulus.
Grinnan.	Skinner.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Absent.

Meachum.	Willacy.
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Absent—Excused.

Chambers.	Stokes.
Smith.	

Absent Excused—On Account of Investigating Committee.

Brachfield.	Senter.
Greer.	Stone.

Senator Griggs moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 108.

Senator Watson moved that the pending order of business (Senate Joint Resolution No. 12) be suspended, and the Senate take up, out of its order, Senate bill No. 26.

Senator Skinner moved as a substitute that the pending order of business (Senate Joint Resolution No. 12) be suspended, and the Senate take up, out of its order, Senate bill No. 108.

The substitute motion was adopted.

The Chair laid before the Senate, on second reading,

Senate bill No. 108, A bill to be entitled "An Act requiring railroad companies, when their lines are contiguous or approach one another under certain conditions, to construct connections for the interchange of freight, cars and tonnage; defining when it is an abuse not to do so, and requiring them to connect when ordered to do so by the Railroad Commission; providing the power of condemnation for said purposes, and giving the Railroad Commission power to require the construction of such connecting tracks."

Senator Skinner offered the following amendment, which was adopted:

Amend the caption by adding thereto the following: "And providing an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Griggs.	Paulus.
Grinnan.	Skinner.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Absent.

Meachum.	Willacy.
Stone.	

Absent—Excused.

Chambers. Stokes.  
Smith.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer.

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Hudspeth.
Barrett.	Kellie.
Cunningham.	Looney.
Faust.	Masterson.
Glasscock.	Mayfield.
Green.	Murray.
Griggs.	Paulus.
Grinnan.	Skinner.
Harbison.	Terrell.
Harper.	Veale.
Holsey.	Watson.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Stokes.  
Smith.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

EXCUSED.

On motion of Senator Barrett, Senator Harbison was excused from attendance upon the Senate for today on account of important business.

## SENATE BILL NO. 26.

On motion of Senator Watson, the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, Senate bill No. 26.

The Chair laid before the Senate, on second reading,

Senate bill No. 26, A bill to be entitled "An Act to repeal Chapter 12 of the General Laws of Texas, passed by the Twenty-seventh Legislature, page 12, laws of 1901, and to pass in lieu thereof this act; to create a Board of Medical Examiners for the examination

and licensing of all physicians, surgeons and obstetricians; to prescribe their qualifications; to provide for their proper registration, the revocation of their licenses for flagrant offenses, and to fix suitable penalties for illegal practice."

Senator Alexander moved that further consideration of the bill be postponed for today, and that the bill be made a special order for next Tuesday morning at the conclusion of the morning call.

Senator Barrett moved to table the motion to postpone, which motion to table was lost by the following vote:

Yeas—10.

Barrett.	Mayfield.
Cunningham.	Murray.
Grinnan.	Paulus.
Harper.	Veale.
Looney.	Watson.

Nays—12.

Alexander.	Holsey.
Faust.	Hudspeth.
Glasscock.	Kellie.
Green.	Masterson.
Greer.	Skinner.
Griggs.	Terrell.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Stone.  
Senter.

Action then recurred on the motion to make the bill a special order for next Tuesday morning, and the same was adopted by the following vote:

Yeas—13.

Alexander.	Hudspeth.
Cunningham.	Kellie.
Faust.	Masterson.
Glasscock.	Murray.
Green.	Skinner.
Griggs.	Terrell.
Holsey.	

Nays—8.

Barrett.	Mayfield.
Grinnan.	Paulus.
Harper.	Veale.
Looney.	Watson.

Absent.  
**Meachum.** Willacy.  
 Absent—Excused.  
**Chambers.** Smith.  
**Harbison.** Stokes.  
 Absent Excused—On Account of Investigating Committee.  
**Brachfield.** Senter.  
**Greer.** Stone.

## SENATE BILL NO. 197.

On motion of Senator Harper, the special order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, Senate bill No. 197.

The Chair laid before the Senate, on second reading,

Senate bill No. 197, A bill to be entitled "An Act creating the Kosse Independent School District in Limestone county, Texas," etc.

Bill read second time, and ordered engrossed.

On motion of Senator Harper, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

<b>Alexander.</b>	<b>Kellie.</b>
<b>Barrett.</b>	<b>Looney.</b>
<b>Cunningham.</b>	<b>Masterson.</b>
<b>Faust.</b>	<b>Mayfield.</b>
<b>Glasscock.</b>	<b>Murray.</b>
<b>Green.</b>	<b>Paulus.</b>
<b>Griggs.</b>	<b>Skinner.</b>
<b>Grinnan.</b>	<b>Terrell.</b>
<b>Harper.</b>	<b>Veale.</b>
<b>Holsey.</b>	<b>Watson.</b>
<b>Hudspeth.</b>	

Absent.

**Meachum.** Willacy.

Absent—Excused.

**Chambers.** Smith.  
**Harbison.** Stokes.

Absent Excused—On Account of Investigating Committee.

**Brachfield.** Senter.  
**Greer.** Stone.

The bill was read third time, and passed by the following vote:

Yeas—21.

<b>Alexander.</b>	<b>Faust.</b>
<b>Barrett.</b>	<b>Glasscock.</b>
<b>Cunningham.</b>	<b>Green.</b>

<b>Griggs.</b>	<b>Mayfield.</b>
<b>Grinnan.</b>	<b>Murray.</b>
<b>Harper.</b>	<b>Paulus.</b>
<b>Holsey.</b>	<b>Skinner.</b>
<b>Hudspeth.</b>	<b>Terrell.</b>
<b>Kellie.</b>	<b>Veale.</b>
<b>Looney.</b>	<b>Watson.</b>
<b>Masterson.</b>	

Absent.

**Meachum.** Willacy.

Absent—Excused.

**Chambers.** Smith.  
**Harbison.** Stokes.

Absent Excused—On Account of Investigating Committee.

**Brachfield.** Senter.  
**Greer.** Stone.

Senator Harper moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## HOUSE BILL NO. 326.

On motion of Senator Murray, the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, House bill No. 326.

On motion of Senator Murray, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee report).

The committee report, which provided that the bill be not printed, was adopted.

The Chair laid before the Senate, on second reading,

House bill No. 326, A bill to be entitled "An Act to abolish the Couch Independent School District in Karnes county, Texas, organized under the General Laws of this State on January 3, 1903, and declaring an emergency."

Bill read second time, and passed to a third reading.

On motion of Senator Murray, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

<b>Alexander.</b>	<b>Grinnan.</b>
<b>Barrett.</b>	<b>Harper.</b>
<b>Cunningham.</b>	<b>Holsey.</b>
<b>Faust.</b>	<b>Hudspeth.</b>
<b>Glasscock.</b>	<b>Kellie.</b>
<b>Green.</b>	<b>Looney.</b>
<b>Griggs.</b>	<b>Masterson.</b>

Mayfield. Terrell.  
Murray. Veale.  
Paulus. Watson.  
Skinner.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander. Kellie.  
Barrett. Looney.  
Cunningham. Masterson.  
Faust. Mayfield.  
Glasscock. Murray.  
Green. Paulus.  
Griggs. Skinner.  
Grinnan. Terrell.  
Harper. Veale.  
Holsey. Watson.  
Hudspeth.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

Senator Murray moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### HOUSE BILL NO. 434.

On motion of Senator Skinner, the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, House bill No. 434.

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Skinner. The Chair laid before the Senate, on second reading,

House bill No. 434, A bill to be entitled "An Act creating an independent school district for free school purposes only in the counties of Johnson and Hill, to be known as the 'Grandview In-

dependent School District,' and to have all the rights, powers and duties of independent school districts formed by the incorporation of towns and villages for free school purposes only."

Bill read second time, and passed to a third reading.

On motion of Senator Skinner, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Alexander. Kellie.  
Barrett. Looney.  
Cunningham. Masterson.  
Faust. Mayfield.  
Glasscock. Murray.  
Green. Paulus.  
Griggs. Skinner.  
Grinnan. Terrell.  
Harper. Veale.  
Holsey. Watson.  
Hudspeth.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander. Kellie.  
Barrett. Looney.  
Cunningham. Masterson.  
Faust. Mayfield.  
Glasscock. Murray.  
Green. Paulus.  
Griggs. Skinner.  
Grinnan. Terrell.  
Harper. Veale.  
Holsey. Watson.  
Hudspeth.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield. Senter.  
Greer. Stone.

Senator Skinner moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 191.

On motion of Senator Veale, the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, Senate bill No. 191.

On motion of Senator Veale, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee reports).

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Veale.

The Chair laid before the Senate, on second reading,

Senate bill No. 191, A bill to be entitled "An Act to restore Hale county and place it under the operation of Articles 5002 to 5043, Revised Statutes, providing for the inspection of hides and animals, and to provide for the appointment of an inspector of hides and animals, and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Griggs.	Skinner.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	

## Absent.

Meachum.	Willacy.
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## Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield.	Senter.
Greer.	Stone.

The bill was read third time, and passed by the following vote:

## Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Griggs.	Skinner.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	

## Absent.

Meachum.	Willacy.
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## Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield.	Senter.
Greer.	Stone.

## SENATE BILL NO. 196.

On motion of Senator Veale, the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, Senate bill No. 196.

On motion of Senator Veale, the Senate rule requiring committee reports to lie over for one day was suspended for the purpose of considering this bill (see Appendix for committee reports).

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Veale.

The Chair laid before the Senate, on second reading,

Senate bill No. 196, A bill to be entitled "An Act to restore and confer upon the county court of Lipscomb county, Texas, the civil and criminal jurisdiction heretofore belonging to the said court under the Constitution and General Laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act."

Bill read second time, and ordered engrossed.

On motion of Senator Veale, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

## Yeas—21.

Alexander.	Faust.
Barrett.	Glasscock.
Cunningham.	Green.

Griggs.	Mayfield.
Grinnan.	Murray.
Harper.	Paulus.
Holsey.	Skinner.
Hudspeth.	Terrell.
Kellie.	Veale.
Looney.	Watson.
Masterson.	

Absent.

Meachum.	Willacy.
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Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield.	Senter.
Greer.	Stone.

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Kellie.
Barrett.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Murray.
Green.	Paulus.
Griggs.	Skinner.
Grinnan.	Terrell.
Harper.	Veale.
Holsey.	Watson.
Hudspeth.	

Absent.

Meachum.	Willacy.
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Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Brachfield.	Senter.
Greer.	Stone.

Senator Veale moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 177.

On motion of Senator Terrell the pending order of business (Senate Joint Resolution No. 12) was suspended, and the Senate took up, out of its order, Senate bill No. 177.

The Chair laid before the Senate, on second reading,

Senate bill No. 177, A bill to be en-

titled "An Act to amend Chapter XCIV, page 119 of the Acts of the Twenty-eighth Legislature, entitled 'An Act to define, prohibit and declare illegal trusts, monopolies and conspiracies in restraint of trade, and to prescribe penalties for forming or being connected with such trusts, monopolies and conspiracies, and to provide for the suppression of the same, and to promote free competition in the State of Texas, and to repeal all laws in conflict herewith,' by adding to said law Section 18, concerning punishment for violation thereof; Section 19, with reference to venue; Section 20, with reference to the duties of district and county attorneys and the Attorney General, and Section 21, concerning fees."

(Senator Barrett in the chair.)

Pending discussion on the bill, Senator Terrell moved that the bill be made a special order for next Wednesday morning at the conclusion of the morning call.

The motion was adopted.

(Lieutenant Governor Davidson in the chair.)

## SENATE JOINT RESOLUTION NO. 12.

The Chair laid before the Senate, on second reading,

Senate Joint Resolution No. 12, Joint Resolution to amend Section 51 of Article 3 of the Constitution of the State of Texas, as amended in 1903, so as to authorize the grant of aid in the establishment and maintenance of a home for the disabled and dependent wives and widows of Confederate soldiers and sailors and such women as aided the Confederacy, and making an appropriation.

Senator Glasscock offered the following amendment:

Amend by inserting after the word "sailors," in line 20, page 1, Section 1, the following words, "their wives and widows," and further amend by adding after the word "their," in line 23, page 1, Section 1, the following words, "wives and."

The amendment was read, and lost by the following vote:

Yeas—7.

Alexander.	Griggs.
Cunningham.	Hudspeth.
Glasscock.	Veale.
Green.	

Nays—17.

Barrett.	Grinnan.
Brachfield.	Harper.
Faust.	Holsey.
Greer.	Kellie.

Looney. Skinner.  
Masterson. Stone.  
Mayfield. Terrell.  
Murray. Watson.  
Paulus.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investi-  
gating Committee.

Senter.

Senator Glasscock offered the follow-  
ing amendment:

Amend Senate Joint Resolution No.  
12 by striking out the figures "1880"  
wherever they appear in the bill, and  
insert in lieu thereof the following fig-  
ures "1890."

On motion of Senator Stone, the pre-  
vious question was ordered on the reso-  
lution.

The amendment was read and lost.

The resolution was read second time,  
and ordered engrossed.

#### SENATE JOINT RESOLUTION NO. 13.

On motion of Senator Brachfield, the  
pending order of business (House bill  
No. 3) was suspended, and the Senate  
took up, out of its order, Senate Joint  
Resolution No. 13.

The Chair laid before the Senate, on  
third reading,

Senate Joint Resolution No. 13, Joint  
Resolution proposing an amendment to  
Article four (4) of the Constitution of  
the State of Texas, by adding thereto a  
section to be known as Section 27, pro-  
viding for a Department of Agriculture,  
with a Bureau of Labor.

The resolution was read third time,  
and passed by the following vote:

Yeas—24.

Alexander. Hudspeth.  
Barrett. Kellie.  
Brachfield. Looney.  
Cunningham. Masterson.  
Faust. Mayfield.  
Glasscock. Murray.  
Green. Paulus.  
Greer. Skinner.  
Griggs. Stone.  
Grinnan. Terrell.  
Harper. Veale.  
Holsey. Watson.

Absent.

Meachum. Willacy.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investi-  
gating Committee.

Senter.

Senator Brachfield moved to recon-  
sider the vote by which the bill was  
passed, and lay that motion on the table.  
The motion to table prevailed.

#### HOUSE BILL NO. 413.

On motion of Senator Grinnan, the  
pending order of business (House bill  
No. 3) was suspended, and the Senate  
took up, out of its order, House bill No.  
413.

The committee report, which provided  
that the bill be not printed, was adopted,  
on motion of Senator Grinnan.

The Chair laid before the Senate, on  
second reading,

House bill No. 413, A bill to be en-  
titled "An Act to amend Sections 6 and  
9 of an act of the Twenty-ninth Legis-  
lature, Chapter 47, General Laws, en-  
titled 'An Act creating an Independent  
School District, including within its lim-  
its the municipal corporation of the town  
of Ballinger, to provide for the creation  
of a board of trustees thereof,'" etc.

Bill read second time, and passed to  
a third reading.

On motion of Senator Grinnan, the  
constitutional rule requiring bills to be  
read on three several days was sus-  
pended, and the bill put on its third  
reading and final passage by the follow-  
ing vote:

Yeas—23.

Alexander. Hudspeth.  
Barrett. Kellie.  
Brachfield. Masterson.  
Cunningham. Mayfield.  
Faust. Murray.  
Glasscock. Paulus.  
Green. Skinner.  
Greer. Stone.  
Griggs. Terrell.  
Grinnan. Veale.  
Harper. Watson.  
Holsey.

Absent.

Looney. Willacy.  
Meachum.

Absent—Excused.

Chambers. Smith.  
Harbison. Stokes.

Absent Excused—On Account of Investigating Committee.

Senter.

The bill was read third time, and passed by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett	Kellie.
Brachfield.	Masterson.
Cunningham.	Mayfield.
Faust.	Murray.
Glasscock.	Paulus.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Looney.	Willacy.
Meachum.	

Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Senter.

Senator Grinnan moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

### HOUSE BILL NO. 3.

The Chair laid before the Senate, on second reading and pending business,

House bill No. 3, A bill to be entitled "An Act to determine the names of lawful heirs of persons dying intestate and the interest of said heirs in the property of such deceased persons, and providing the manner of determining same, making this act cumulative of all existing laws on this subject, and declaring an emergency."

Senator Masterson moved that the committee report, which recommended the bill favorably, with amendments, be adopted.

The motion was adopted.

Senator Masterson offered the following amendment, which was adopted:

Amend the bill by striking out the words "shall die," in line 30, page 1, and inserting in lieu thereof the words "has died."

MASTERTON,  
HARBISON.

Bill read second time, and passed to a third reading.

On motion of Senator Masterson, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett	Kellie.
Brachfield.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Paulus.
Green	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	

Nays—1.

Murray.

Absent.

Meachum.	Willacy.
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Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Senter.

The bill was read third time, and passed by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Paulus.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Meachum.	Willacy.
Murray.	

Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Senter.

Senator Masterson moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

## SENATE BILL NO. 126.

On motion of Senator Holsey, the pending order of business (House bill No. 10) was suspended, and the Senate took up, out of its order, Senate bill No. 126, for the purpose of making it a special order.

On motion of Senator Holsey, the bill was ordered printed in the Journal, and made a special order for next Tuesday morning at the conclusion of the morning call.

Following is the bill in full:

S. B. No. 126. By Senator Holsey.

## A BILL

## To Be Entitled

An Act to amend Section 9, Chapter 137, page 222, of an act of the Twenty-eighth Legislature entitled "An Act to preserve and protect the wild game, wild birds and wild fowls of the State, to provide adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws and parts of laws in conflict herewith," so as to make it lawful to kill quail or partridge between the 30th day of November and the 1st day of March of each year.

Be it enacted by the Legislature of the State of Texas:

That Section 9 of an act of the Twenty-eighth Legislature, Chapter 137, page 222, entitled "An Act to preserve and protect the wild game, wild birds and wild fowls of the State, to provide adequate penalties for the unlawful taking, slaughter, sale or shipment thereof, and to repeal all laws and parts of laws in conflict herewith," be and the same is hereby amended so as to hereafter read as follows:

"Section 9. It shall be unlawful for any person to kill, ensnare or entrap, or in any way destroy any wild deer, in the period of time embraced between the first day of January and the first day of November in each year; provided, it shall be unlawful for any person at any season of the year to take, kill, trap or ensnare any wild female deer or spotted fawn within this State; and provided further, that it shall be unlawful for any person to take, kill, trap or ensnare more than six wild buck deer during the months of November and December of any one year; or any wild turkey in the period of time embraced between the first day of February and the first day of November of each year; or any prairie chicken (pinnated grouse) in the period of time embraced between

the first day of February and the first day of November in each year; or any quail or partridge within the period of time embraced between the first day of March and the first day of December of each year; or any dove within the period of time embraced between the first day of February and the first day of September in each year; provided, it shall be unlawful for any person, at any time, to kill or destroy more than twenty-five of the birds or fowls mentioned in Section 1 of this act, in any one day. It shall further be unlawful for any person, at any time, to hunt deer or other game mentioned in Section 1 of this act by aid of what is commonly known as a hunting lamp or lantern, or any other light used for the purpose of hunting at night; and after the space of five years next after this act takes effect, it shall be unlawful for any person to kill, trap or ensnare or in any way destroy any wild antelope, or wild Rocky Mountain sheep, in the period of time embraced between the first day of January and the first day of November in each year; provided further, that it shall be unlawful for any person to kill, trap or ensnare more than two wild antelopes or one Rocky Mountain sheep during the months of November and December of any year; or any wild Mongolian or English pheasant in the period of time embraced between the first day of February and the first day of November in each year. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than \$10 nor more than \$100, or may be imprisoned in the county jail for not less than five days nor more than thirty days or may be subject to both such fine and imprisonment."

## HOUSE BILL NO. 275.

On motion of Senator Hudspeth, the pending order of business (House bill No. 10) was suspended, and the Senate took up, out of its order, House bill No. 275.

The committee report, which provided that the bill be not printed, was adopted, on motion of Senator Hudspeth.

The Chair laid before the Senate, on second reading,

House bill No. 275, A bill to be entitled "An Act creating Christoval Independent School District in Tom Green county, Texas; defining its boundaries; providing for the election of a board of trustees thereof and defining their duties, powers and authority; authorizing said board of trustees to levy, as-

sess and collect a tax of not exceeding 25 cents on the \$100 valuation of all property in said district," etc.

Bill read second time, and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Paulus.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Meachum.	Willacy.
Murray.	

Absent—Excused.

Chambers	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Senter.

The bill was read third time, and passed by the following vote:

Yeas—23.

Alexander.	Hudspeth.
Barrett.	Kellie.
Brachfield.	Looney.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Paulus.
Green.	Skinner.
Greer.	Stone.
Griggs.	Terrell.
Grinnan.	Veale.
Harper.	Watson.
Holsey.	

Absent.

Meachum.	Willacy.
Murray.	

Absent—Excused.

Chambers.	Smith.
Harbison.	Stokes.

Absent Excused—On Account of Investigating Committee.

Senter.

Senator Hudspeth moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE JOINT RESOLUTION NO. 6 —SPECIAL ORDER.

On motion of Senator Harper, the pending order of business (House bill No. 10) was suspended, and the Senate took up, out of its order, Senate Joint Resolution No. 6, for the purpose of making it a special order.

Senate Joint Resolution No. 6, Joint Resolution to amend Sections 1, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 29, Article 5 of the Constitution of the State of Texas, relating to Judiciary.

On motion of Senator Harper, the resolution was made a special order for next Thursday morning.

#### HOUSE BILL NO. 10.

The Chair laid before the Senate, on second reading,

House bill No. 10, A bill to be entitled "An Act to amend Article 359, Chapter 4, of Title X, of the Penal Code of the State of Texas, defining what constitutes a disorderly house so as to include any house in which intoxicating liquors are sold in any county, justice's precinct, school district, city or town or subdivisions of any county in which the sale of intoxicating liquors is prohibited by law."

On motion of Senator Looney, the committee report, with amendments, was adopted.

Pending discussion on the bill,

Senator Hudspeth moved that the Senate adjourn until Monday morning at 10 o'clock. The motion was lost by the following vote:

Yeas—7.

Alexander.	Hudspeth.
Glasscock.	Masterson.
Griggs.	Watson.
Holsey.	

Nays—15.

Barrett.	Looney.
Brachfield.	Mayfield.
Cunningham.	Paulus.
Green.	Skinner.
Greer.	Stone.
Grinnan.	Terrell.
Harper.	Veale.
Kellie.	

Absent.

Faust.	Senter.
Meachum.	Willacy.
Murray.	

## Absent—Excused.

Chambers.            Smith.  
Harbison.           Stokes.

Action then recurred on House bill No. 10.

Senator Hudspeth moved that the Senate go into executive session for the purpose of considering this bill.

## SIMPLE RESOLUTION.

Resolved, That when the Senate adjourn today it be in honor of the anniversary of the birth of the "Father of Our Country," George Washington.

BARRETT,  
FAUST.

The resolution was read and adopted by a rising vote.

## ADJOURNMENT.

On motion of Senator Barrett, the Senate, at 1:10 o'clock, adjourned until Monday morning at 9:30 o'clock.

## APPENDIX.

## COMMITTEE REPORTS.

(Floor Report.)

Committee Room,  
Austin, Texas, February 22, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 210, A bill to be entitled "An Act to change and prescribe the time for holding district court in the Fourth Judicial District,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Watson, Chairman; Griggs, Veale, Barrett, Murray, Hudspeth.

(Floor Report.)

Committee Room,  
Austin, Texas, February 21, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 196, A bill to be entitled "An Act to restore and confer upon the county court of Lipscomb county, Texas, the civil and criminal jurisdiction heretofore belonging to the said court under the Constitution and

General Laws of the State, and to conform the jurisdiction of the district court of said county to such change, and to repeal all laws in conflict with this act."

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Watson, Chairman; Hudspeth, Murray, Barrett, Veale, Harper, Willacy.

(Floor Report.)

Committee Room,  
Austin, Texas, February 21, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

House bill No. 204, A bill to be entitled "An Act to amend Section 3 of Chapter 58 of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, reorganizing the Twenty-third, Twenty-fourth, Twenty-fifth, Thirty-sixth and Forty-ninth Judicial Districts of the State of Texas, and fixing the time of holding district courts therein, so as to change the time of holding district court in Gonzales county, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and be not printed.

Watson, Chairman; Barrett, Griggs, Hudspeth, Harper, Veale, Murray.

(Floor Report.)

Committee Room,  
Austin, Texas, February 22, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Education, to whom was referred

House bill No. 326, A bill to be entitled "An Act to abolish the Couch Independent School District in Karnes county, Texas, organized under the General Laws of this State on January 3, 1903, and declaring an emergency,"

Have had the same under consideration, and we report same back to the Senate with the recommendation that it do pass, and it be not printed.

Barrett, Grinnan, Kellie, Paulus, Harper, Green, Glasscock.

Committee Room,  
Austin, Texas, February 20, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Stock and Stock Raising, to whom was referred

Senate bill No. 191, A bill to be en-

titled "An Act to restore Hale county, and place it under the operation of Articles 5002 to 5043, Revised Statutes, providing for the inspection of hides and animals, and declaring an emergency,"

Have had the same under consideration, and beg leave to report same back to the Senate with the recommendation that it do pass, and that the same be not printed.

Hudspeth, Chairman; Veale, Grinnan, Alexander, Green, Murray.

(Floor Report.)

Committee Room,  
Austin, Texas, February 21, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 203, A bill to be entitled "An Act to incorporate the trustees of the independent school district of the city of San Antonio, under the name 'San Antonio School Board,' with power to make contracts; to be a party to action in courts; to receive gifts, grants, conveyances, donations or devises for use of public free schools of said city and district," etc.,

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass, and be not printed.

Barrett, Chairman; Harper, Green, Senter, Grinnan.

Committee Room,  
Austin, Texas, February 22, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred

House bill No. 218, A bill to be entitled "An Act to create a commission composed of the Governor, Secretary of State and Chairman of the Railroad Commission to make a thorough and complete investigation and audit by an expert public accountant or firm of such accountants of the books, papers, accounts and methods of accounting, bookkeeping and transacting business prevailing in the departments of the State Treasurer, Comptroller of Public Accounts, Commissioner of the General Land Office, and such other departments as the said board shall deem advisable," etc.,

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass.

FAUST, Chairman.

Committee Room,  
Austin, Texas, February 22, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 191, A bill to be entitled "An Act to restore Hale county, and place it under the operation of Articles 5002 to 5043, Revised Statutes, providing for the inspection of hides and animals, as to provide for the appointment of an inspector of hides and animals, and declaring an emergency,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, February 22, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 25, A bill to be entitled "An Act declaring void sales of portions of stocks of merchandise otherwise than in the ordinary course of trade in the usual and regular prosecutions of the sellers' business, and sales of entire stocks of merchandise in bulk, unless made in compliance with certain named conditions, and prescribing such conditions and regulations according to which such sales may be made valid, and with an emergency clause,"

And find the same correctly engrossed.

CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, February 21, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 117, A bill to be entitled "An Act declaring theaters, play houses, opera houses and other show buildings by whatever name known, to be public places of amusement, to prevent the owners, lessees, managers and agents thereof from discriminating against persons, stock companies, corporations or others applying to lease or rent such public places of amusement for productions and renditions of dramas, operas and other shows by whatever name known; to provide for the keeping and exhibiting and booking of all leaseings and lettings of such houses; to require certain stipulations in all subsequent leases and renewals for a term; providing penalties for vio-

lation of the provisions of this act, and declaring an emergency."

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, February 21, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 55, A bill to be entitled "An Act to authorize the commissioners courts of the several counties of Texas to create and establish drainage districts, to construct canals, drains and ditches, to make levees, improve streams and water courses and make other improvements for the purpose of drainage; to order and hold elections for the purpose of voting on drainage propositions, and authorizing the issuance of bonds and levy of tax, and to issue bonds in payment for such drainage improvements and the maintenance thereof, and to levy and to collect taxes for the payment of such bonds, to appoint drainage commissioners and all other necessary officers of such drainage districts for the purpose of carrying into effect the provisions of this act; granting the right of eminent domain to such drainage districts, and authorizing the drainage commissioners to acquire by purchase, gift or grant, for such district, title to any right of way and other property, and generally authorizing the county commissioners court and the drainage commissioners to do all things necessary for the establishing and maintenance of such districts according to the provisions of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

### THIRTY-FIFTH DAY.

Senate Chamber,  
Austin, Texas,

Monday, February 25, 1907.

Senate met pursuant to adjournment.  
Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Green.
Barrett.	Greer.
Brachfield.	Grinnan.
Chambers.	Harbison.
Cunningham.	Harper.
Glasscock.	Holsey.

Hudspeth.	Senter.
Kellie.	Skinner.
Looney.	Smith.
Masterson.	Stone.
Mayfield.	Terrell.
Meachum.	Veale.
Murray.	Watson.

Absent.

Faust.	Paulus.
Griggs.	Willacy.

Absent—Excused.

Stokes.

Prayer by Rev. H. M. Sears, Chaplain of the Senate.

Pending the reading of the Journal of Friday, on motion of Senator Mayfield, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

### BILLS AND RESOLUTIONS.

By Senator Alexander:

Senate bill No. 211, A bill to be entitled "An Act making it unlawful for a parent to desert or abandon helpless and dependent minor children, and making it unlawful for a husband to desert or abandon his wife when she is in a needy condition, and is dependent upon others for food, clothing and nursing, etc., and to provide punishment for such offenses, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Hudspeth:

Senate bill No. 212, A bill to be entitled "An Act to amend Article 5232i, Chapter 5a, relating to fees in suits to collect delinquent taxes, and amending said article in so far as it relates to fees of county attorneys in such suits, and declaring an emergency."

Read first time, and referred to Judiciary Committee No. 2.

By Senators Mayfield and Brachfield (by request):

Senate bill No. 213, A bill to be entitled "An Act to amend Section 165 of Chapter 11, Acts of the First Called Session of the Twenty-ninth Legislature, entitled 'An Act to regulate elections, and to provide penalties for its violations and to repeal the acts of the Twenty-eighth Legislature of 1903, regulating elections, general, special and primary, and political conventions,' approved April 1, 1903."

Read first time, and referred to Committee on Privileges and Elections.